

PATENT: IN01155K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Venkatraman *et al*) Examiner: D. Lukton
Serial No.: 09/836,636) Group Art Unit: 1653
Filed: April 17, 2001) Atty. Docket No.: IN01155K

For: MACROCYCLIC NS-3-SERINE PROTEASE INHIBITORS OF HEPATITIS C
VIRUS COMPRISING ALKYL AND ARYL ALANINE P2 MOIETIES

Assistant Commissioner for Patents & Trademarks
Washington, D.C. 20231

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RESPONSE

Sir:

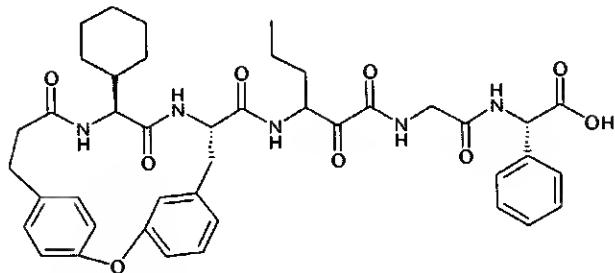
This communication is in response to the restriction requirement that the Examiner issued on February 19, 2002, in the above-identified patent application. Claims 1-31 are pending in the application. The Examiner restricted the claims into fourteen inventions groups: Invention 1 (claims 1-23, 26, limited to G1 defined by the Examiner), Invention 2 (claims 1-23, 26, limited to G2 defined by the Examiner), Invention 3 (claims 1-23, 26, limited to G3 defined by the Examiner), Invention 4 (claims 1-23, 26, limited to G4 defined by the Examiner), Invention 5 (claims 1-23, 26, limited to G5 defined by the Examiner), Invention 6 (claims 1-23, 26, limited to G6 defined by the Examiner), Invention 7 (claims 1-23, 26, limited to G7 defined by the Examiner), Invention 8 (claim 24 per G1), Invention 9 (claim 24 per G2), Invention 10 (claim 24 per G3), Invention 11 (claim 24 per G4), Invention 12 (claim 24 per G5), Invention 13 (claim 24 per G6), and Invention 14 (claim 24 per G7). Claim 25 was not grouped. Claims 27-31 are to be joined with the elected group.

Additionally, the Examiner required Applicants to elect a species for prosecution on the merits.

Applicants are puzzled by the numerous restrictions of the invention by the Examiner, and believe that claims 1-31 form part of one and the same invention, with the commonality of a generic structure (formula I in Claim 1). Withdrawal of the restriction requirement is, therefore, respectfully requested.

However, for the sake of facilitation of prosecution, Applicants elect the claims that the Examiner has identified as belonging to Group 7 with traverse.

Additionally, Applicants elect the following species belonging to the elected Group:



The above-noted compound is in claim 27.

Furthermore, the Examiner requested that sequence disclosures be defined to comply with 37 C.F.R. 1.821 through 1.825. Applicants are enclosing the required sequence disclosures, a Preliminary Amendment and Statement under Rule 1.821 and a diskette containing said sequence listing.

If the Examiner has questions, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on March 19, 2002.

Palaiyur S. Kalyanaraman
Registered Representative



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Ref 1653

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/836,636
		Filing Date	April 17, 2001
		First Named Inventor	VENKATRAMAN
		Group Art Unit	1653
		Examiner Name	Lukton
Total Number of Pages in This Submission	11	Attorney Docket Number	IN01155K

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<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Diskette	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	SCHERING-PLough CORPORATION PATENT DEPARTMENT, K-6-1-1990 PALAIYUR S. KALYANARAMAN REG. NO. 34634
Signature	
Date	March 19, 2002

CERTIFICATE OF MAILING

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Typed or printed name	PALAIYUR S. KALYANARAMAN		
Signature		Date	March 19, 2002

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